

Docket No.: 052775-0037

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
	:	
Keiji FUSE	:	Confirmation Number: 4087
	:	
Application No.: 10/532,044	:	Group Art Unit: 2872
	:	
Filed: April 21, 2005	:	Examiner: PRITCHETT, Joshua L.
	:	
For: DIFFRACTIVE OPTICAL ELEMENT AND LASER MACHINING APPARATUS USING SAME		

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Restriction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

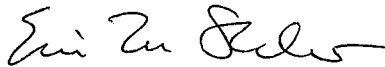
Sir:

Noting the Office Action of March 25, 2008 wherein restriction has been required, Applicant hereby elects Group II (claims 2, 3/2, 4/2, 6/2, 6/3/2, and 6/4/2) for prosecution in the above-identified application. With reference to the telephonic conversation of March 28, 2008 between Examiner and Eric Shelton, Applicant notes that the Office Action is incomplete with respect to the claims readable upon Group II, as Group II includes claims 6/3/2 and 6/4/2, as indicated above.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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**Date: April 17, 2008**

**Please recognize our Customer No. 20277  
as our correspondence address.**